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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,575	03/17/2006	Kcitaro Yonezawa		2748
23364	7590	10/25/2007	EXAMINER	
BACON & THOMAS, PLLC			STERLING, AMY JO	
625 SLATERS LANE				
FOURTH FLOOR			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22314			3632	
			MAIL DATE	DELIVERY MODE
			10/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/572,575	YONEZAWA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Amy J. Sterling	3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 17 March 2006.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-6 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 17 March 2006 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
     Paper No(s)/Mail Date 6/14/06.
- 4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

This is the first Office Action for application number 11/572,575, Positioning Device and Clamping System Having the Same, filed on 3/17/06. Claims 1-6 are pending.

### ***Title***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The title states, "having the same" and it is unclear what the term is trying to convey.

### ***Information Disclosure Statement***

The information disclosure statement submitted on 6/14/06 and 3/17/06 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 4387845 to Mefferd.

The patent to Mefferd discloses a positioning apparatus having a plug member (32, 52) projected from a first block (30) toward a leading end so as to be inserted into a positioning hole formed in a second block (70), an inclined outer surface (54) provided on the plug member so as to get closer to an axis toward the leading end; an annular sleeve member (34) arranged outside the inclined outer surface and formed in such a way that at least a part in a circumferential direction is allowed to deform in both a diametrically expanding direction and a diametrically contracting direction; a straight outer surface (52) provided on the sleeve member and allowed to come into close contact with an inner peripheral surface of the positioning hole, an inclined inner surface (62) provided on the sleeve member and facing the inclined outer surface, a drive member (56) inserted into the plug member which is axially movably and connected to the sleeve member, at least one of the inclined inner surface and the inclined outer surface is provided on a pair of projections (42, 48) opposed to each other in the diametrically expanding and diametrically contracting direction, escape portions (64, 66) are formed between the projections wherein the sleeve member is allowed to axially reciprocate by a drive means via the drive member and a slit (52) axially extending is formed in a peripheral wall of the sleeve member, a n annual, circumferentially seamless cover member (12) ) is integrally formed with a cap member (18) covering at least a part of the slit is arranged outside the sleeve member (15) and from the plug

member (12) to the leading end side.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following documents show various clamping members  
6412766 to Barbieu

Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 571-272-6823. The examiner can normally be reached (Mon-Fri 8am-5:00pm). The fax machine number for the Technology center is 571-273-8300 (formal amendments), informal amendments or communications 571-273-6823. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 571-272-3600.

Amy J. Sterling  
10/18/07

*Amy J. Sterling*  
AMY J. STERLING  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 3600